



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/783,760

02/20/2004

Yulun Wang

157438-0006

7411

1622 7590 11/17/2009

IRELL & MANELLA LLP
840 NEWPORT CENTER DRIVE
SUITE 400
NEWPORT BEACH, CA 92660

EXAMINER

KISWANTO, NICHOLAS

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

11/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,760	Applicant(s) WANG ET AL.	
	Examiner NICHOLAS KISWANTO	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6-11,13,17-21,27,28 and 61-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-11,13,17-21,27,28 and 61-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 6, 8-11, 13, 18-21, 28, and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aras et al. (5,867,653), in view of Jouppe et al. (6,292,713), further in view of Onishi et al. (2002/0177925), further in view of Ben-Shachar et al. (2001/0010053).

As to claims 1, 3, 11, 13, 21, and 61 – 63, Aras/653 shows a camera and monitor system (col 1, line 23 – 27), a first remote station 207a that has a monitor (col 5, line 10-24), a second remote station 207b that has a monitor (col 5, line 10-24) and that can access the camera and monitor system independently of first remote station (col 5, line 18 – 23), said second remote station having a second priority higher than said first priority (col 7, line 31-55; **for example, second remote station would be first in queue and first remote station would be second in queue**), an arbitrator 205 that can control access to the camera and monitor system (col 2, line 16 – 18), said arbitrator providing a message that is displayed by said second remote station monitor (col 7, line 23-25, arbitrator sends "accept/deny" message to any multi-cast client that request permission,

Art Unit: 3664

thus including second remote station monitor), and a broadband network (col 2, line 8 – 10). However, Aras/653 does not show a robot.

Jouppi/713 teaches a video conferencing system that has a mobile robot with a camera and monitor (abstract, Figure 2). Jouppi/713 teaches that such a system improves eye contact (col 1, line 55).

It would have been obvious to one of ordinary skill in the art to provide Jouppi/713's teaching to Aras/653's invention in order to improve eye contact, as taught by Jouppi/713.

However, Jouppi/713 and Aras/653 still do not show control of said robot.

Onishi/925 teaches a commonly well-known system that enables multiple users to control a robot (abstract). Onishi/925 teaches that controlling a robot in this manner allows a variety of complicated tasks to be done by one robot ([0005] - [0016]).

It would have been obvious to one of ordinary skill in the art to provide Onishi/925's teaching to Aras/653's invention in order to allow a variety of complicated tasks to be done by one robot, as taught by Onishi/925.

However, Aras/653, Onishi/925, and Jouppi/713 are silent as to the specifics of a call back mechanism in the message.

Ben-Shachar/053 further shows the commonly well-known teaching of a call back mechanism within a device with multiple controllers [0107]. Combined with the messaging system of Aras/653, it would be possible to create a notification mechanism in the message.

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with a call back mechanism as taught by Ben-Shachar/053 since a controller must have a way to know when it can take control.

As to claim 5, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of a call back mechanism in the message.

Ben-Shachar/053 further shows the commonly well-known teaching of a call back mechanism within a device with multiple controllers [0107]. Combined with the messaging system of Aras/653, it would be possible to create a notification mechanism in the message.

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with a call back mechanism as taught by Ben-Shachar/053 since a controller must have a way to know when it can take control.

As to claim 6, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of a priority mechanism in the arbitrator.

Ben-Shachar/053 further shows the commonly well-known teaching of a priority mechanism within a device with multiple controllers [0054].

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with a priority mechanism as taught by Ben-Shachar/053

Art Unit: 3664

since the system needs a way to know which controller obtains control in case more than one controller requests control simultaneously.

As to claim 8, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of an exclusive and sharing mode.

Ben-Shachar/053 further shows the commonly well-known teaching of an exclusive and sharing mode [0096].

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with an exclusive and sharing mode as taught by Ben-Shachar/053 since there are times when both modes are necessary.

As to claims 9 and 19, Aras/653 further shows wherein said first remote station transmits a communication for said mobile robot that is initially transmitted to said second remote station (col 5, line 27 - 32).

As to claim 10 and 20, Aras/653 further shows wherein said first remote station sends a communication for said mobile robot that is initially transmitted to said mobile robot (col 5, line 27 - 32).

As to claim 12, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of a notification means in the message.

Ben-Shachar/053 shows the commonly well-known teaching of a notification means within a device with multiple controllers [0107]. Combined with the messaging system of Aras/653, it would be possible to create a notification mechanism in the message.

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with a notification means as taught by Ben-Shachar/053 since a controller must have a way to know when it has been given priority.

As to claim 18, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of an exclusive and sharing mode.

Ben-Shachar/053 further shows the commonly well-known teaching of an exclusive and sharing mode [0096].

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with an exclusive and sharing mode as taught by Ben-Shachar/053 since there are times when both modes are necessary.

As to claim 28, Aras/653, Onishi/925, and Jouppi/713 disclose the claimed invention as described above. However, they are silent as to the specifics of an exclusive and sharing mode.

Ben-Shachar/053 further shows the commonly well-known teaching of an exclusive and sharing mode [0096].

It would have been obvious to one of ordinary skill in the art to provide Aras/653's invention with an exclusive and sharing mode as taught by Ben-Shachar/053 since there are times when both modes are necessary.

3. Claims 7, 17, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aras/653, in view of Jouppi/713, further in view of Onishi/925, further in view of Ben-Shachar/053, further in view of Zenke (6,256,556), further in view of Roy et al. ("Towards Personal Service Robots for the Elderly").

As to claim 7, 17, and 27, Aras/653, Jouppi/713, Onishi/925 and Ben-Shachar/053 disclose the claimed invention as described above. However, it is silent as to the specifics of a priority level local user or service user.

Zenke/556 shows commonly well-known remote stations given priority as a local user or a service user (col 6, line 11 - 32).

It would have been obvious to one of ordinary skill in the art as a matter of design choice to give priority levels local user and service user since they are commonly well-known.

However Aras/653, Jouppi/713, Onishi/925 and Ben-Shachar/053 are still silent as to the specifics of priority classifications of doctor, caregiver, or family member.

Roy shows a commonly well-known robot system wherein said remote stations may be given priority as a doctor (page 1, last paragraph), caregiver (page 3, second paragraph), or family member (page 3, second Paragraph).

It would have been obvious to one of ordinary skill in the art, as a matter of design choice to provide the teaching of Roy to Aras/653' invention since it is commonly well-known.

Response to Arguments

5. Applicant's arguments with respect to claims 1- 66 have been considered but are not persuasive. Applicant argues that Ben-Shachar teaches constant call back messages, however, there is nothing in Ben-Shachar indicates such a teaching. In fact, Ben-Shachar teaches that callback messages are sent only when a remote station has relinquished control ("***Once a reservation has been revoked, the worker now has room for at least one more client. This available slot is given to a new client that requested a worker. Such a revocation causes a call back notification to be sent...***"). Thus Ben-Shachar only sends a callback message in an event of control availability.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Kiswanto whose telephone number is (571) 270-3269. The examiner can normally be reached on Monday - Friday, 8AM - 5PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3664

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Kiswanto/
Examiner, Art Unit 3664
/KHOI TRAN/
Supervisory Patent Examiner, Art Unit 3664